



JOHN ELIAS BALDACCI  
GOVERNOR

STATE OF MAINE  
BOARD OF ENVIRONMENTAL PROTECTION

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EXECUTIVE ANALYST  
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**MEMORANDUM**

**To:** Board of Environmental Protection  
**From:** Cynthia Bertocci, Executive Analyst *CB*  
**Date:** December 3, 2009  
**Subject:** Record Hill Wind Project, Roxbury, Oxford County  
Petition for Stay of License

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**Background**

On August 20, 2009, the Department issued an Order approving the application of Record Hill Wind, LLC to construct a 50.6 megawatt wind energy development project in the Town of Roxbury in Oxford County.

On September 21, 2009, Concerned Citizens to Save Roxbury (CCSR) and other individuals filed a timely appeal of the license. Financial capacity is among the issues raised on appeal.

On November 3, 2009, CCSR filed a "Petition of Aggrieved Parties for a Temporary Restraining Order on the Issue of Financial Capacity Pending Appeal." This will be referred to as a petition for a stay of the license.

On November 25, 2009, Record Hill Wind, LLC filed a response to the petition.

Copies of the petition and the licensee's response to the petition are enclosed for your review.

**Consideration of Petition**

At the December 3, 2009 Board meeting, the Board will consider the petition. Representatives of both the appellants and the licensee will address the Board on this matter.

In support of their petition, the appellants will be attempting to demonstrate the following:

- Irreparable injury to the appellants if the stay is not granted;
- A strong likelihood of success on the merits of the appeal; and
- No substantial harm to the licensee or the general public if the stay is granted.

  
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